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8 Attorneys for the Receiver

9 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
10  
11 IN AND FOR THE COUNTY OF MARICOPA

12 State of Arizona,	)	Cause No. CV2014-006765
13 Plaintiff,	)	PETITION NO. 20
14 v.	)	PETITION FOR ORDER APPROVING
15 Sherman Eugene Unkefer, III, <i>et al</i> ,	)	FEES AND COSTS INCURRED BY THE
16 In Personam Defendants.	)	RECEIVER, GUTTILLA MURPHY
	)	ANDERSON, P.C. AND FITZGIBBONS
	)	& CO. FOR MARCH 1, 2016 THROUGH
	)	APRIL 30, 2016
	)	(Assigned to the Honorable Randall
	)	Warner)
	)	

17 Michael J. FitzGibbons, as the court appointed Receiver, respectfully petitions the  
18 Court as follows:

19 1. On April 16, 2014, this Court entered its *Order Appointing Receiver*, which  
20 appointed Michael J. FitzGibbons as Receiver of Mango Trust; X-1, LLC fka X-1, Inc.;  
21 Magic Wand Services, LLC; Occidental Resources Group, LP; Occidental Management,  
LLC; E.A.P. Trust; International Marketing Systems; G.M.S. LLC; Catshaker Family Trust,  
Inc.; SLADUR; Black Rock, Inc.; and X-1 Global, LLC. (“Receivership Order”).

1           2. Pursuant to *Order Re: Petition No. 1*, the Court approved the Receiver's  
2 compensation at the rate of \$275.00 per hour together with all reasonable costs and expenses  
3 incurred relating to these services as Receiver. These services are billed by and paid to the  
4 Receiver's firm, FitzGibbons and Company, Inc.

5           3. Pursuant to this Court's *Order Re: Petition No. 1*, the Receiver has engaged the  
6 services of the law firm of Guttilla Murphy Anderson, P.C., of Phoenix, Arizona, and the  
7 Receiver has agreed to pay the law firm compensation at agreed hourly rates for the services  
8 of the firm together with all reasonable costs and expenses incurred on behalf of the Receiver.

9           4. Pursuant to this Court's *Order Appointing Receiver*, the Receiver has engaged  
10 the services of the accounting firm of Henry & Horne, LLP of Tempe, Arizona to prepare  
11 income tax returns for the Receivership and Mango Trust and Occidental Resource Group,  
12 L.P. The Receiver has agreed to pay Henry & Horne, LLP compensation at agreed hourly  
13 rates for the services of the accounting firm together with all reasonable costs and expenses  
14 incurred on behalf of the Receiver.

15           5. Pursuant to the Court's *Order Re: Petition No. 2* the Receiver is authorized to  
16 file this fee petition without including as exhibits the itemized of services rendered to, and  
17 costs incurred or expended on behalf of, the Receivership, provided that the pay petition  
18 includes a statement that anyone desiring additional information concerning the services and  
19 costs to be paid under the pay petition may obtain redacted information from the Receiver by  
20 delivering to the Receiver and the Receiver's counsel, Guttilla Murphy Anderson, P.C., a  
21 written request specifying the additional information requested at least three (3) days prior to

1 the date set for hearing on the pay petition. The Court's *Order Re: Petition No. 2* further  
2 provides that upon request of the Court, the Receiver shall make available for in camera  
3 review by the Court the itemized statements and supporting documentation for the services  
4 and costs to be paid under the pay petition.

5 **March, 2016 Fees**

6           6. The Receiver has submitted an itemized statement for services rendered to this  
7 Receivership and for reimbursable costs incurred or paid during the period from March 1,  
8 2016 through March 31, 2016. The total amount requested for payment by the Receiver is  
9 \$13,337.09. The Receiver believes that this amount is reasonable and should be paid from  
10 the Receivership Assets.

11           7. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized  
12 statement for services rendered to this Receivership and for reimbursable costs incurred or  
13 paid during the period from March 1, 2016 through March 31, 2016. The total amount  
14 requested for payment by the law firm of Guttilla Murphy Anderson, P.C. is \$588.31. The  
15 Receiver believes that this amount is reasonable and should be paid from the Receivership  
16 Assets and has therefore approved this statement for payment.

17           8. The accounting firm of Henry & Horne, LLP, has submitted itemized  
18 statements for services rendered to this Receivership and for reimbursable costs incurred or  
19 paid during the period from March 1, 2016 through March 31, 2016 in connection with the  
20 preparation of the 2015 Federal and Arizona Fiduciary Income Tax Returns and preparation  
21 of the 2015 Federal and Arizona NOL Carryback Claims. The total amount requested for

1 payment by the accounting firm of Henry & Horne, LLP is \$2,048.00. The Receiver believes  
2 that this amount is reasonable and should be paid from the Receivership Assets and has  
3 therefore approved this statement for payment.

4 **April, 2016 Fees**

5 9. The Receiver has submitted an itemized statement for services rendered to this  
6 Receivership and for reimbursable costs incurred or paid during the period from April 1, 2016  
7 through April 30, 2016. The total amount requested for payment by the Receiver is  
8 \$9,682.29. The Receiver believes that this amount is reasonable and should be paid from the  
9 Receivership Assets.  
10

11 10. The law firm of Guttilla Murphy Anderson, P.C., has submitted an itemized  
12 statement for services rendered to this Receivership and for reimbursable costs incurred or  
13 paid during the period from April 1, 2016 through April 30, 2016. The total amount  
14 requested for payment by the law firm of Guttilla Murphy Anderson, P.C. is \$1,921.12. The  
15 Receiver believes that this amount is reasonable and should be paid from the Receivership  
16 Assets and has therefore approved this statement for payment.

17 WHEREFORE, the Receiver respectfully requests that the Court enter an order  
18 authorizing the Receiver to pay from Receivership Assets:

19 1. The amount of \$13,337.09 to FitzGibbons and Company, Inc. for services  
20 rendered and costs incurred or paid during the period March 1, 2016 through March 31, 2016;

21 2. The amount of \$588.31 to Guttilla Murphy Anderson, P.C., for services  
rendered and costs incurred or paid during the period March 1, 2016 through March 31, 2016;



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6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 State of Arizona, )  
9 Plaintiff, )  
v. )  
10 Sherman Eugene Unkefer, III, *et al*, )  
11 In Personam Defendants. )  
12 )  
13 \_\_\_\_\_ )

Cause No. CV2014-006765

ORDER RE: PETITION NO. 20

(Assigned to Judge Randall Warner)

14 The Receiver having filed Petition No. 20, and the Court having considered same, and  
15 it appearing to the Court that the matters requested by Petition No. 20 are reasonable, just and  
16 appropriate:

17 NOW, THEREFORE, IT IS HEREBY ORDERED approving *Petition No. 20* and  
18 authorizing the Receiver to pay from Receivership Assets:

- 19 1. The amount of \$13,337.09 to FitzGibbons and Company, Inc. for services  
20 rendered and costs incurred or paid during the period March 1, 2016 through March 31, 2016;  
21 2. The amount of \$588.31 to Guttilla Murphy Anderson, P.C., for services  
rendered and costs incurred or paid during the period March 1, 2016 through March 31, 2016.

1           3.       The amount of \$2,048.00 to Henry & Horne, LLP for services rendered and  
2 costs incurred or paid for the preparation of the 2015 Federal and Arizona Fiduciary Income  
3 Tax Returns and preparation of 2015 Federal and Arizona NOL Carryback Claims for the  
4 period ending March 31, 2016;

5           4.       The amount of \$9,682.29 to FitzGibbons and Company, Inc. for services  
6 rendered and costs incurred or paid during the period April 1, 2016 through April 30, 2016;  
7 and  
8

9           5.       The amount of \$1,921.12 to Guttilla Murphy Anderson, P.C., for services  
10 rendered and costs incurred or paid during the period April 1, 2016 through April 30, 2016.

11           Dated this \_\_\_\_ day of \_\_\_\_\_, 2016.

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# eSignature Page 1 of 1

Filing ID: 7528490 Case Number: CV2014-006765  
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Granted as Submitted



/S/ Randall Warner Date: 6/28/2016  
Judicial Officer of Superior Court



**ENDORSEMENT PAGE**

CASE NUMBER: CV2014-006765

SIGNATURE DATE: 6/28/2016

E-FILING ID #: 7528490

FILED DATE: 6/29/2016 8:00:00 AM

BENJAMIN L HODGSON

LEE D STEIN

MARK A HOLMGREN

PATRICK M MURPHY

RAYMOND A HANNA

REID CHARLES PIXLER